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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,864	03/22/2001	Takashi Kobayashi	56937-026	3329

7590 10/12/2004  
McDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER

HUYNH, KIM T

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/813,864

Applicant(s)

KOBAYASHI ET AL.

Examiner

Kim T. Huynh

Art Unit

2112

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2. ☐ The proposed amendment(s) will not be entered because:  
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ they raise the issue of new matter (see Note below);  
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_


3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attachment.  
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 5-8.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).  
10. ☐ Other: \_\_\_\_\_

  
MARK H. HUYNH  
SUPERVISOR, ART UNIT 2112  
TECHNICAL STAFF

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment request for reconsideration filed on 9/14/04 have been fully considered but does not place the application in condition for allowance.

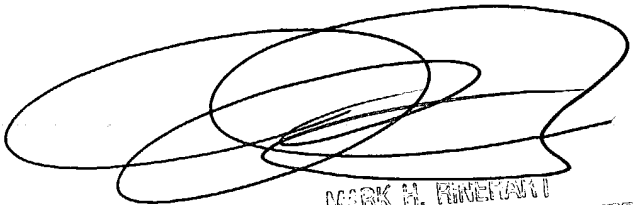
a. In response to applicant's argument that Garrett does not suggest or teach a for-main-apparatus-body identifier production device that produces a main-apparatus-body identifier using an identifier of a network card having the lowest degree of demountability among the plurality of network cards stored in the degree-of-demountability storage device. Examiner respectfully disagrees. As Garrett notes at (col.2, lines 13-67) further cited for clarification, discloses logic circuitry that produce an identification signal. A unique preset time duration or time constant is designated for each expansion device (produce an identifier) and the host computer identifier each expansion device by the length or duration that the identification signal is negated.(using identifier). It is clear that Garrett is an analogous art and it reads on the breadth of the claim languages therefore it is properly stated in the rejection of record.

b. In response to applicant's argument that Garrett does not teach or suggest degree of demountability. As Garrett notes at col.4, lines 22-37, discloses the host computer includes identification logic used to identify the types of expansion device. The expansion devices configured as removable adapter cards that are inserted into slots on the respective expansion bus or the expansion device mounted directly to the motherboard of the computer system. Each expansion device is designated by a unique preset time duration or time constant and the host computer identifier each expansion

device by the length or duration that the identification signal is negated. (col.2, lines 13-26) (wherein type of cards implies degree of demountability, as applicant stated from page 3 of specification that the demountability is for example a facility of structurally detaching a network card or a frequency of uses or a type of card), thus it reads on the breadth of the claim languages therefore it is properly stated in the rejection of record.

Kim Huynh

Oct. 5, 2004



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